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## **MINUTES OF COUNCIL REGULAR MEETING – MAY 13, 2008**

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, MAY 13, 2008, AT 6:35 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt  
Carolynn Burt  
Joel Coleman  
Corey Rushton  
Steve Vincent  
Mike Winder

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

ABSENT: Russ Brooks

STAFF PRESENT:

Paul Isaac, Assistant City Manager  
Richard Catten, City Attorney  
Russell Willardson, Public Works Director  
John Evans, Fire Chief  
Joseph Moore, CED Director  
Buzz Nielsen, Police Chief  
Jim Welch, Finance Director  
Celia Kenney, Acting Community Preservation Director  
Aaron Crim, Administration  
Jake Arslanian, Public Works Department

14043 **OPENING CEREMONY**

The Opening Ceremony was conducted by Dennis Nordfelt who led the Pledge of Allegiance to the Flag.

14044 **APPROVAL OF MINUTES OF REGULAR MEETING HELD APRIL 22, 2008**

The Council read and considered the Minutes of the Regular Meeting held April 22, 2008. There were no changes, corrections or deletions.

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After discussion, Councilmember Coleman moved to approve the Minutes of the Regular Meeting held April 22, 2008, as written. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14045      **SCOTT ZEIDLER, COMMUNITY FORESTER WITH THE UTAH DIVISION OF FORESTRY, FIRE AND STATE LANDS – PRESENTATION OF TREE CITY USA AWARD TO WEST VALLEY CITY**

Scott Zeidler, Community Forester with the Utah Division of Forestry, Fire and State Lands, addressed the City Council. Mr. Zeidler presented the Tree City USA award to West Valley City. Mr. Zeidler also discussed the importance of trees in making communities livable. He pointed out some of the efforts of the Parks and Recreation Department employees in planting and promoting the planting of trees. He presented the 13<sup>th</sup> consecutive award to Darin Nerdin from the Parks and Recreation Department. Mr. Nerdin addressed the City Council and expressed hope the City would move forward with programs to make the parks even better.

Mayor Nordfelt, on behalf of the City Council, expressed appreciation to staff and stated the award was very important to the City.

14046      **PRESENTATION OF EAC QUARTERLY DIVISION AWARD TO UTAH CULTURAL CELEBRATION CENTER**

Councilmember Winder read a narrative and presented the EAC Quarterly Division Award to staff of the Utah Cultural Celebration Center (UCCC).

The City Council congratulated the UCCC staff and expressed appreciation for their efforts on behalf of West Valley City.

Ross Olsen, Executive Director of the UCCC, introduced staff members in attendance and praised efforts of the entire team in making the UCCC a success.

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Mayor Nordfelt stated the UCCC facility was a great asset to the community which had become recognized by people throughout the State of Utah.

14047      **PROCLAMATION DECLARING MAY 11-17, 2008, AS NATIONAL POLICE WEEK AND MAY 15, 2008, AS PEACE OFFICERS' MEMORIAL DAY IN WEST VALLEY CITY**

Mayor Nordfelt read a Proclamation declaring May 11-17, 2008, as National Police Week and May 15, 2008, as Peace Officers' Memorial Day in West Valley City.

14048      **COMMENT PERIOD**

Upon inquiry by Mayor Nordfelt, the following individuals addressed the City Council during the Comment Period:

Sam Barr, 4036 Powder Ridge Drive, addressed the City Council. Mr. Barr stated he had spoken to the City Council last February regarding taxes versus services. He also stated tagging had become quite a problem in his neighborhood in the last three months. He discussed the housing slump and values of homes decreasing and how that affected everyone. He stated West Valley taxes were at the highest level and law enforcement was overwhelmed and overworked. He indicated, in his opinion, the Police Department needed more help. He stated the numbers of police officers, if increased, would reduce crime which had a direct effect on property values. Mr. Barr stated he would like to find some reasonable compromise between homeowners and renters so homes were not devalued. He expressed his understanding that code enforcement officers would be increased soon and emphasized the Police Department continued to do a great job and cited examples of those efforts. He discussed issues regarding equity values falling and the tax rate being high and services not being equal to taxes paid. He stated a great deal of development in the City would not impede progress, but the cornerstone of the City remained with the homeowners who should continue to have the upper hand in beautifying their neighborhoods.

Wendy Barr, 4036 Powder Ridge Drive, addressed the City Council. Mrs. Barr reiterated what her husband, Sam Barr, had discussed above. She stated most people in her neighborhood owned their homes and felt the same way. She indicated one home on her block was a nuisance home and there were many long-time residents who desired to remain in the neighborhood. She discussed problems with residents of the aforementioned nuisance home, including tagging, littering, and loud parties at that residence. She stated she had been informed by the Police Department there was no law against spray-painting your own home. She indicated one rental property in the neighborhood could devalue all the other owner occupied homes. She indicated homeowners had no power against these

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types of neighbors. Mrs. Barr stated there was no enforcement for current laws and she inquired regarding options to mitigate the problems.

Tony Marcelas, 4016 South Powder Ridge Drive, addressed the City Council. Mr. Marcelas stated he was a neighbor of the Barr family and restated the problems expressed above regarding the neighborhood. He also inquired regarding any plans to widen 4100 South west of 5600 West.

Vicki Ureda, 4016 Powder Ridge Drive, addressed the City Council. Ms. Ureda discussed similar problems as expressed above regarding her house located in the same neighborhood. She stated the community should “pull together” to make it a good place for everyone to live. She also stated if there were complaints then something should be done about them.

City Manager, Wayne Pyle, related his recent discussions with staff regarding problems in the subject neighborhood, including efforts to effect compliance with the ordinances.

14049

### **RESOLUTION NO. 08-129, APPROVE INTERLOCAL COOPERATION AGREEMENT BETWEEN SALT LAKE COUNTY, WEST VALLEY CITY, SANDY CITY, WEST JORDAN CITY AND TAYLORSVILLE CITY RELATING TO THE HOME INVESTMENT PARTNERSHIP PROGRAM FOR FEDERAL FISCAL YEARS 2009 THROUGH 2011**

City Manager, Wayne Pyle, presented proposed Resolution No. 08-129 which would approve an Interlocal Cooperation Agreement between Salt Lake County, West Valley City, Sandy City, West Jordan City and Taylorsville City relating to the HOME Investment Partnership Program for federal fiscal years 2009 through 2011.

Mr. Pyle stated West Valley City received each year approximately \$300,000 to accomplish home repairs, down payment assistance and other residential projects that bettered the residences of the City. He further stated that each year, West Valley City Grants Division funded four in-house programs, vouchers for a Tenant Based Rental Assistance Program (TBRA), and a deposit program for homeless families and individuals through the Road Home.

After discussion, Councilmember Rushton moved to approve Resolution No. 08-129, a Resolution Approving an Interlocal Cooperation Agreement between Salt Lake County, West Valley City, Sandy City, West Jordan City and Taylorsville City Relating to the HOME Investment Partnership Program for Federal Fiscal Years 2009 through 2011. Councilmember Vincent seconded them motion.

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A roll call vote was taken:

Mr. Vincent	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14050

### **RESOLUTION NO. 08-130, APPROVE PROFESSIONAL SERVICES AGREEMENT WITH ERICKSON LANDSCAPING FOR THE PURPOSE OF REPAIRING BUNKERS AT STONEBRIDGE GOLF COURSE**

City Manager, Wayne Pyle, presented proposed Resolution No. 08-130 which would approve a Professional Services Agreement with Erickson Landscaping in the amount of \$76,000.00, for the purpose of repairing bunkers at Stonebridge Golf Course.

Mr. Pyle stated Stonebridge Golf Course would fill in 20 bunkers to streamline the operations and become more cost effective. He indicated competitive bids had been solicited through public advertising with a formal bid opening having been conducted under the direction of the City Recorder.

The City Manager reported Stonebridge had 89 bunkers scattered throughout the 27 holes, many of which were difficult to maintain. He stated to streamline operations and operate in a more cost effective manner, staff recommended focus be placed on the tees, greens and fairways. He recommended several bunkers could be removed from the course without a significant impact on play which would free up valuable maintenance time for the stated target areas. He indicated 20 bunkers had been identified as removable and a bunker fill-in plan had been prepared, which plan had been reviewed with Zions Securities.

City Manager, Wayne Pyle, stated two bids had been received, as follows: 1) Erickson Landscaping: \$106,758.75; and 2) Turf Sprinkler Co.: \$208,143.00. Mr. Pyle indicated Erickson Landscaping had submitted the lowest responsible bid.

Mr. Pyle reported both prices had been more than the projected budget. He also reported staff had taken the low bid by Erickson Landscaping and made quantity changes. He indicated top soil had been reduced from 1,702 cubic yards to 701 cubic yards by reducing 12-inches to six-inches of top soil in each bunker. He

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stated the line item for seeding four waste bunkers of \$6,066 had also been removed and would be completed by staff, bringing the total to \$76,000.00.

After discussion, Councilmember Coleman moved to approve Resolution No. 08-130, a Resolution Authorizing the Execution of a Professional Services Agreement between West Valley City and Erickson Landscaping for the Purpose of Repairing Bunkers at Stonebridge Golf Course. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14051

### **RESOLUTION NO. 08-131, APPROVE AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH TIM SOFFE FOR PROPERTY LOCATED AT APPROXIMATELY 3000 SOUTH DECKER LAKE DRIVE (APPLICATION NO. PUD-1-2007 – THE EDGE AT DECKER LAKE)**

City Manager, Wayne Pyle, presented proposed Resolution No. 08-131 which would approve an Amendment to the Development Agreement with Tim Soffe for property located at approximately 3000 South Decker Lake Drive (Application No. PUD-1-2007 – The Edge at Decker Lake).

Mr. Pyle stated that in July of 2006, the City Council had approved a General Plan zone change from manufacturing to high density on the above noted property. He further stated the approval had been made subject to a development agreement requiring all dwelling units to be for sale product and not rentals. He indicated that over the last year and a half, the developer had coordinated the subdivision plat with staff and various agencies. In conjunction with approvals from the Planning Commission and Council, the review of the subdivision plat and site plan was near completion.

The City Manager reported that a few weeks ago the developer approached staff about the possibility of modifying the conditional use and development agreement. The developer had explained market conditions remained unfavorable for condominium developments. He stated Mr. Soffe explained that financing for

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the condominium project had been withdrawn by the property owner's financial institution.

Mr. Pyle stated the developer further explained because the rental market was strong the bank would be willing to fund an apartment project if approved by the City. He indicated what complicated the bank's suggestion was the property had been re-zoned with a provision requiring home ownership. In order to make this kind of change, the developer would be required to modify the conditional use application with the Planning Commission and the development agreement with the City Council.

The City Manager indicated because condominiums and apartments were listed as separate uses in the 'RM' zone the Planning Commission would be charged with reviewing the amended conditional use application. However, the development agreement could only be modified by the City Council.

Mr. Pyle explained when the subject property had been re-zoned the Planning Commission and City Council cited a number of reasons to change the land use classification from manufacturing to residential. He reviewed items mentioned as follows:

1. The property was near a planned light rail station.
2. The property was adjacent to a major employment center.
3. Development of this property would have good access to the entertainment area immediately to the south.
4. The text of the General Plan encouraged mixed use centers near light-rail stops.

The City Manager continued that from the onset of the project, the developer proposed a condominium development. The Planning Commission and City Council had felt this type of residential housing would provide stability and longevity for residents living in this area of the City. He indicated the addition of a future light rail station and benefits of the adjacent and uses near the E-Center, supported the concept of owner-occupied living.

After discussion, Councilmember Coleman moved to approve Resolution No. 08-131, a Resolution Authorizing the Execution of an Amendment to the Development Agreement with Tim Soffe for Property Located at Approximately 3000 South Decker Lake Drive. Councilmember Winder seconded the motion.

A roll call vote was taken:

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Mr. Vincent	No
Mr. Coleman	Yes
Ms. Burt	No
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Majority.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, MAY 13, 2008, WAS ADJOURNED AT 7:18 P.M., BY MAYOR NORDFELT.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, May 13, 2008.

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Sheri McKendrick, MMC  
City Recorder

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